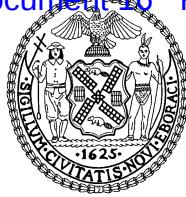


MEMO ENDORSED

JAMES E. JOHNSON
Corporation Counsel

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 LAW DEPARTMENT**
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November 30, 2020

BY ECF

Honorable Katherine Polk Failla,
 United States District Court
 Southern District of New York
 40 Foley Square
 New York, NY 10007

Re: *M.K. obo G.K. v. N.Y.C Dep't of Educ., et al.* 20-cv-4013(KPF)(KNF)

Dear Judge Failla:

I am an Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, supervising attorney for the Defendant in the above-referenced action, overseeing a team of attorneys and paralegals handling IDEA fees-only cases such as this, wherein Plaintiff seeks attorneys' fees, costs, an expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write on behalf of all parties to inform the Court that this matter has been fully resolved, and to respectfully request that the Court cancel the conference scheduled for today at noon, *sine die*, and to permit the parties to file an executed settlement agreement no later than December 30, 2020.

We apologize for any inconvenience caused by the lateness of this submission, which resulted from administrative confusion within my office whereby this case was conflated with several other similar cases late Wednesday, and we thus failed to file a letter at that time (the case settled *via* email at 5:57 p.m.) as intended.

Thank you for considering these requests.

Respectfully submitted,
 /s/

Martin Bowe
 Senior Counsel

cc: Adam Dayan, Esq. (via ECF)

Application GRANTED. All deadlines and conferences are hereby adjourned. Furthermore, the Court ORDERS that this action be conditionally discontinued without prejudice and without costs; provided, however, that on or before December 30, 2020, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of the Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar on or before December 30, 2020.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

Dated: November 30, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE